

REMARKS

Claims 1, 3-5, 7-9, 11, 13-18, 20-33, 65, 113, 117, and 123 have been canceled herein without prejudice. New Claims 124-151 are presented herein and will be pending in the application upon entry of the claim amendments.

New Claims 124-151 are directed to a method for enhancing chemical digestion of a biomolecule comprising contacting the biomolecule with a protease, CNBr or hydroxylamine and a surfactant wherein the activity of said protease, CNBr or hydroxylamine is maintained or increased upon contact with the surfactant. Support for these claims can be found throughout the specification and claims as originally filed. Particular support for these claims can be found, at least, in original claims 1, 3-5, 7-9, 11, 13-18, 20-33, 65, 113, 117, and in Table 1 on Page 25 and in Table 2 on Page 26 of the specification. *No new matter has been added.*

Amendment and cancellation of the claims herein is not/are not be construed as acquiescence to any of the rejections/objections set forth in the instant Office Action and were done solely to expedite prosecution of the application. Applicants hereby reserve the right to pursue the claims as originally filed or similar claims in this or one or more subsequent patent applications.

Statement of Substance of Interview

Applicant wishes to thank Examiner Arnold for the courteous and helpful telephone interview held on July 28, 2009 with Applicants' undersigned representative and Inventor, Ed Bouvier. During the interview, the art cited in the Final Office Action mailed was discussed.

Applicants discussed their position that the effect of the use of the surfactant disclosed in the present invention has a surprising and unexpected result of maintaining or increasing the activity of the digesting agent allowing for more complete biomolecular analysis without increased background signaling. In particular, the surprising results presented in Table 1 of the present application were discussed. Furthermore, Applicants discussed the general state of the art for SDS gel-electrophoresis and the art cited in the Final Office Action.

No final agreement as to the allowability of the claims was reached. Nevertheless, the claims have been amended herein based on the discussion and helpful suggestions of the Examiner.

General Note about new claims

New Claim 124 and the claims which depend from it are directed to a method for enhancing chemical digestion of a biomolecule comprising contacting the biomolecule with (i) a protease, CNBr or hydroxylamine and (ii) a surfactant represented by formula I ***wherein the activity of said protease, CNBr or hydroxylamine is maintained or increased upon contact with the surfactant***; thereby enhancing the chemical digestion of said biomolecule. As discussed above, this claim highlights the surprising and unexpected result of maintaining or increasing activity of the digesting agent allowing for more complete biomolecular analysis without increased background signaling which was discussed with the Examiner. If a telephone conference with Applicants' representative would be helpful in further clarifying the new claims in light of the surprising results, Applicants invite the Examiner to contact the undersigned at the telephone number indicated below.

Obviousness-type Double Patenting

To the extent that new claims may be provisionally rejected in view of Application No. 10/169,002. Applicants request that this provisional rejection be held in abeyance until allowance of the instant claims, but for the obviousness-type double patenting rejection.

CONCLUSION

In view of the amendments and remarks made herein, Applicants submit that the application is in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are respectfully requested. Applicants believe that no additional fees are required in connection with this paper other than the fee for the extension of time submitted herewith. Nevertheless, Applicants authorize the Director to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 04-1105, under Order No. 60009(49991).

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: August 9, 2009

Respectfully submitted,

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